

REMARKS**I. General**

Claims 1-64 were pending in the application as filed. Applicant notes with appreciation that the Examiner has allowed claims 25-31, 57, 58, and 62-64. Applicant further notes with appreciation that the Examiner has indicated that claims 10-16, 38-49, and 51 include allowable subject matter.

Claims 1 and 32-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Shen et al., United States patent number 6,118,767 (hereinafter *Shen*). Claims 2-3, 17-24, 37, 50, and 52-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shen*. Claims 4-8 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shen* in view of Newman et al., United States patent number 5,908,816 (hereinafter *Newman*). Claims 9 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shen* in view of Meyer et al., United States patent number 6,236,816 (hereinafter *Meyer*). Claims 59-61 stand rejected under 35 U.S.C. § 112. Applicant respectfully traverses the rejections of record.

Applicant has amended the claims objected to by the Examiner in order to present claims in independent form including the subject matter of claims indicated as allowable and any intervening claims in order to expedite issuance of the present application. Specifically, claim 1 has been amended to recite the limitation of claim 10 dependent therefrom and, thereby, present claim 10 as originally submitted in independent form. Accordingly, claim 10 has been canceled. Correspondingly, claims 11 and 12 have been amended to depend from claim 1 rather than canceled claim 10. Claim 32 has been amended to recite the limitation of claim 38 dependent therefrom and, thereby, present claim 38 as originally submitted in independent form. Accordingly, claim 38 has been canceled. Correspondingly, claims 39 and 45 have been amended to depend from claim 32 rather than canceled claim 38. Claim 51 has been amended to recite the limitations of independent claim 32 from which it depended and, thereby, present claim 51 as originally submitted in independent form. No new matter has been added by the amendments.

Additionally, claim 59 has been amended to depend from claim 57, as originally intended by Applicant, rather than claim 56, as was caused by a typographical error. Claim

57 provides antecedent basis for recitation of "said determination" in claim 57, which forms the basis of the 35 U.S.C. § 112 rejection of record. Claims 60 and 61 depend from claim 59 and, therefore, the rejection of record under 35 U.S.C. § 112 is asserted to be redressed by the foregoing amendment to claim 59.

Each of the pending claims includes subject matter conceded by the Examiner to be patentable over the art of record. Accordingly, Applicant respectfully requests that the rejections of record be withdrawn.

II. Summary

Each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Our check in the amount of \$506.00 to cover the added independent claim fee and the two month extension of time fee is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380, under Order No. 65948/P036US/10315910 from which the undersigned is authorized to draw.

Dated: February 19, 2004

Respectfully submitted,

By 

R. Ross Viguet

Registration No.: 42,203

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-8000

(214) 855-8200 (Fax)

Attorney for Applicant